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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/810,489	03/19/2001	Atsushi Tomita	032360-010	8259
7590 11/17/2004			EXAMINER	
Platon N. Mandros BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			SALAD, ABDULLAHI ELM	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

09/810,489

Applicant(s)

TOMITA, ATSUSHI

Examiner

Salad E Abdullahi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 9-11, 13 and 15 is/are allowed.
6) ☒ Claim(s) 1-8, 12 and 14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 19 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/14/2004.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

1. This application has been reviewed. Original claims 1-15 are pending. The rejection cited stated below.

Allowable Subject Matter

2. Claims are 9-11, 13 and 15 are allowed.

The following is an examiner's statement of reasons for allowance: None of the prior art of record teaches or suggests an equipment management apparatus for transmitting management information collected from a plurality of equipment to a centralized management apparatus, comprising: a first judging device for judging whether or not it is the time of transmitting information about first equipment, a second judging device for judging whether or not it is the time of transmitting information about second equipment, a priority determining controller for determining the order of priorities of the first and second equipment, based on the characteristics of each of the equipment and a transmission controller for transmitting the information about the first and second equipment to the centralized management apparatus, in accordance with the order of priorities determined by the priority determining controller, when the first judging device judges that it is the time of transmitting the information about the first equipment, and the second judging device judges that it is the time of transmitting the information about the second equipment.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8, 12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Carcerano et al. U.S. Patent No. 6,308,205.

As per claim Carcerano discloses an equipment management apparatus (network management server 104) for transmitting management information (i.e., configuration information) collected from a plurality of equipment (network devices) to a centralized management apparatus (management workstation 109), comprising:

- a detector (printer server 37) for detecting a trouble which has occurred in first equipment (printer/copier 36) (see fig. 1 and col.4, lines 48-64) ; and
- a transmission controller (NIC card 50) for, when the trouble is detected by the detector, transmitting management information (i.e., configuration information or status information) about second equipment (printer/copier 36) which is other than the first equipment together with the trouble information about the first

equipment to the centralized management apparatus (network management station server 45) (see figs. 1 and 2 and col.4, lines 48-64 and col. 6, lines 1-11).

As per claim 2, Carcerano discloses an equipment management apparatus according to claim 1, wherein the transmission controller responds to the detection of the trouble by the detector, and obtains the management information from the second equipment (see fig. 2 and col. 6, lines 1-11).

As per claim 3, Carcerano discloses an equipment management apparatus according to claim 1, wherein the transmission controller transmits management information about a plurality of equipment including the second equipment (see col. 6, lines 27-67).

As per claim 4, Carcerano discloses an equipment management apparatus according to claim 1 further comprising a selector for selecting the second equipment among the plurality of equipment based on a specified condition (i.e., status condition) (see col. 10, lines 36-47).

As per claim 5, Carcerano discloses an equipment management apparatus according to claim 4, wherein the specified condition is a period until the time for the next regular maintenance for each equipment comes, and the selector selects as second equipment the equipment whose time for the next regular maintenance is scheduled earlier than the times for the next regular maintenance for any other equipment (that is selecting a

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targeted network device in order to change configuration information if error or trouble is reported) (see col. 10, lines 48 to col. 11, line 17).

As per claim 6, Carcerano discloses An equipment management apparatus according to claim 4, wherein the specified condition is characteristics of each of the equipment, and the selector selects the second equipment based on the characteristics of each of the equipment)(see col. 10, lines 36-47).

As per claim 7, Carcerano discloses an equipment management apparatus according to claim 1, wherein the equipment is an image forming apparatus for forming an image on a sheet (see col. 11, lines 7-17)

As per claim 8, Carcerano discloses an equipment management apparatus according to claim 7, further comprising a selector for selecting the second equipment among a plurality of equipment, based on at least one of the type of color of the image forming apparatus, the speed of image formation thereof, and the equipment structure thereof (see col. 11, lines 7-17)

As per claim 12, Carcerano discloses an equipment management system including an equipment management apparatus for transmitting management information collected from a plurality of equipment, and a centralized management apparatus for managing each of the plurality of equipment based on the management information transmitted

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from the equipment management apparatus, wherein the equipment management apparatus comprises:

a detector for detecting a trouble which has occurred in first equipment (col.4, lines 48-64); and

a transmission controller for, when the trouble is detected by the detector, transmitting management information about second equipment which is other than the first equipment together with the trouble information about the first equipment to the centralized management apparatus (see figs. 1 and 2 and col.4, lines 48-64 and col. 6, lines 1-11).

As per claim 14, Carcerano discloses an equipment management method in which one equipment management apparatus collects management information about a plurality of equipment, and the equipment management apparatus transmits the management information to a centralized management apparatus so as to manage the plurality of equipment, comprising steps of:

a step 1 of detecting a trouble which has occurred in first equipment by use of the equipment management apparatus (col. 4, lines 48-64); and

a step 2 of transmitting management information about second equipment which is other than the first equipment from the equipment management apparatus to the centralized management apparatus together with the trouble information about the first equipment, when the trouble is detected in the step 1 (see figs. 1 and 2 and col.4, lines 48-64 and col. 6, lines 1-11).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Any response to this action should mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to: (703) 872-9306.


Abdullahi Salad
Examiner AU 2157
12/14/2004